

Lebanon Municipal Court Private Complaint Interview

Defendant's Name:	Defendant's D.O.B.:	Defendant's SSN:
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Defendant's Address:	Defendant's Telephone Number:
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On what date did the criminal offense occur?	Approximately what time did the criminal offense occur?
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Where did the offense occur? (address, business name, city)	Did the offense occur in: <input type="checkbox"/> City of Lebanon <input type="checkbox"/> Turtlecreek Township
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Are you 18 years of age or older? (If under 18, a parent, guardian or custodian must jointly sign the complaint with you.)	<input type="checkbox"/> YES <input type="checkbox"/> NO	Have you previously filed charges against the defendant?	<input type="checkbox"/> YES <input type="checkbox"/> NO	Does the defendant have any charges pending against you?	<input type="checkbox"/> YES <input type="checkbox"/> NO
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Witness to Incident (Give name & Address). If medical attention was requested, give the doctor's name & address and the name and address of the medical facility. Use additional sheet of paper if necessary. Note if any of the witnesses are under the age of 18 and their relationship to the defendant, you or the victim.

Name and Address of Witness:	Over 18?	Relationship:
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Name and Address of Witness:	Over 18?	Relationship:
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Name and Business Address of Doctor and/or Medical facility.
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Please list any evidence, exhibits, or photographs that you may have which may be needed to prove your case. Provide the name and address of the person who has the information if it is not in your possession.

If the criminal act occurred over seven (7) days ago, why has there been a delay before filing?

If injuries are visible, have the Lebanon Police Department take pictures.

State in your own words, the facts and specifics of this incident.

APPROVED BY THE PROSECUTING ATTORNEY

CHARGE:	SECTION #:
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CHARGE:	SECTION #:
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APPROVED BY:	DATE:
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Prosecutor Non-Approval Form to be Signed by complaining Witness

<u>NOT APPROVED BY:</u>

Information contained herein is true to the best of my knowledge and belief and I have received instructions for filing a Private Complaint.

Complainant Signature

Lebanon Municipal Court Private Complaint Instructions

You have been a possible victim of a criminal offense. An interview will be required with the City Prosecutor to determine if charges will be filed and the nature of the charge.

Please read the instructions and complete this interview form.

You must bring the interview form to the Lebanon Municipal Court on THURSDAYS at 12:30 P.M. to be interviewed by the City Prosecutor. Lebanon Municipal Court requires a \$46.00 deposit for each charge. The judge can only waive this charge after a special hearing if you qualify to sign a Poverty Affidavit.

On occasion, certain charges will mandate immediate attention. These cases will be reviewed by a police officer and special instructions will be issued.

If a police officer has been involved in the investigation of the offense, please obtain a copy of the report.

1. The Clerk will notify you of all trial dates by mail. Please keep the court informed of your current address.
2. In most cases, the case will be set for arraignment, which is a hearing where the defendant will enter a plea. Whether the defendant pleads guilty or not guilty, the judge prefers you to be present to make statement.
3. In many cases, the court will allow the defendant to enter a not guilty plea in writing either before arraignment or the day of the arraignment, not giving the court sufficient time to notify you not to appear.
4. If the defendant pleads not guilty, the court will usually set the case for pretrial conference. At this conference, you are to be present and will be subject to interview by the defendant's counsel. At the pretrial conference, under Ohio law, the judge has mandated there must be complete disclosure of all evidence that will be presented; copies of any photographs; and a list of the names and addresses of all witnesses.
5. In no event can you use a notarized statement by a witness for evidence. On the day of the trial, the witness must be physically present. If the witness will not voluntarily appear, you must request that the court issue a subpoena at least ten (10) days before the trial. Please give the clerk the name(s) and address(s) of the witness(es).
6. If the police have evidence, or if there are medical records involved, you must subpoena the police officer, medical records, and doctor.
7. If you have been injured, please have the Lebanon Police Department take pictures of your injury.
8. If the case is a felony, the County Prosecutor requires a police investigation before charges may be filed.
9. There is no such thing as a Restraining Order in Criminal cases.
10. The police cannot serve the defendant a copy of the complaint unless they have at least the date of birth or social security number. Also, the police cannot, in most situations, arrest the defendant for failing to appear at court without a birth date or social security number. The police will assist you in obtaining this information.
11. Domestic Violence cases will, in some situations, involve a hearing on a Temporary Protection Order (called a T.P.O.). You **MUST** be present at the T.P.O. hearing to make a statement in reference to having your spouse vacated from the residence, your school and your place of employment by court order. The hearing must be held within twenty-four (24) hours after the request is signed and the defendant is brought to court. Domestic Violence is a **CRIMINAL OFFENSE**. When you file a charge of Domestic Violence, the defendant will be arrested and brought to court for a Bond Hearing. If you want a Restraining Order only, you must see a private attorney or contact Legal Aid.
12. In NO event can the prosecutor consider any financial payment for damages to property. There may be restitution for personal injury pursuant to the crime victim fund by filing a claim with the Warren County Clerk of Courts. In some situations, the judge may order restitution.
13. In a trespass case, you must have a document establishing legal ownership of the property, and the defendant must not have any legal right to the property.
14. The general policy of the court is that you may receive only one (1) continuance if requested in writing stating a definite reason, and is filed at least three (3) business days before court. In some situations, a continuance is NOT possible due to state mandated time limits.
15. In theft or unauthorized use of property charges, you must be able to prove ownership only. Original titles or proof of ownership can be used.
16. Court costs must be paid prior to filing charges (unless waived by court). If the defendant is found guilty, your money will be returned, however, you must produce your receipt of payment to receive your refund. If the defendant is found not guilty or you dismiss the charge, your money will not be returned.
17. You must complete the Private Complaint Interview form.

Lebanon Municipal Court
Statement of Facts
